

State of California
Business, Transportation and Housing Agency
Department of Transportation

HIGHWAY RIGHT OF WAY MATTERS
Appearance
Action Item

CTC Meeting: June 6-7, 2001

Prepared By:
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Agenda Item: 2.4a.(1)

W. J. EVANS
Chief Financial Officer
June 1, 2001

RESOLUTION OF NECESSITY

The Department of Transportation recommends the California Transportation Commission adopt Resolution of Necessity C-18283. The summary below identifies the location of and designates the nature of the property rights covered by the Resolution of Necessity. In accordance with statutory requirements, the owners have been advised that the Department of Transportation is requesting a resolution at this time. Adoption of Resolution of Necessity C-18283 will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules. See concurrent item 2.4a (2).

C-18283 Parking Associates

07-LA-101-PM 27.4- Parcel 76773-1,2,3,4 – EA 191309 (Freeway) Authorizes condemnation of land in fee for a State highway, temporary easement for temporary construction purposes, permanent easement for permanent footing easement purposes, located in the unincorporated area of Sherman Oaks at 15357 Camarillo Street and the San Diego Freeway (405) and 4827 Sepulveda Boulevard near Camarillo Street.

07-LA-101-24.7

EA 191309

Parcels: 76773,1,2,3,4

Grantors: M. David Paul & Associates
(Parking Associates)

RESOLUTION OF NECESSITY

REVIEW PANEL REPORT

The Resolution of Necessity Review Panel met on May 3, 2001, in Los Angeles. The Panel was chaired by Carol Hanson, and included panel members Linda Fong and Michael Yoshiba. In attendance were Kenneth Bley, the owner's attorney, as well as Paul Krueger and M. Paul David of M. Paul David and Associates.

This panel report summarizes the findings of the panel to make a recommendation to the Chief Engineer with regard to the four criteria required for a Resolution of Necessity.

I. NEED FOR PROJECT

This project widens the northbound (NB) Route 405 to southbound (SB) Route 101 (NB 405/SB 101) Connector from one to two lanes. The NB 405/SB101 Connector will be widened beginning at 200 meters north of Ventura Boulevard Undercrossing (UC) on Route 405 to 60 meters east of Columbus Avenue on Route 101. The metal beam guard railing and temporary concrete barrier on NB 405 to NB and SB 101 connectors will be replaced with permanent concrete barriers. The existing lighting at the Route 405/101 Interchange will be converted from a high voltage series circuit lighting to a low voltage multiple circuit lighting. This project will relieve traffic congestion and improve safety. The project is to be funded from the 1998 State Transportation Improvement Program (STIP) Amendment through the HE-13 Program. This project has been assigned Project Development Processing Category 4A because the project requires additional right of way and increases traffic capacity.

II. PROJECT DESIGN

The Route 405/101 Interchange (405/101 IC) is one of the busiest interchanges in Los Angeles County, carrying over 530,000 vehicles per day. The City of Los Angeles Department of Transportation (LADOT), in partnership with the California Department of Transportation (Caltrans), initiated the request for a study that might alleviate the congestion at the interchange. In November 1997, the LADOT prepared a list of proposals to improve the operational and safety aspects of the 405/101 IC.

One of the projects is to widen the single lane NB 405/SB 101 Connector by adding an additional lane. This project, known as the "Connector Widening", is the second of three projects (phases) that are planned to alleviate congestion along NB 405 and at the 405/101 IC. The Project Study Report (PSR) was approved on March 23, 1999, and the Draft Project Report (DPR) was approved on May 10, 2000.

The first phase, known as the “Auxiliary Lane Widening”, will add one auxiliary lane on the NB 405 between Mulholland Drive and the NB off-ramp at Sepulveda Boulevard UC. A Project Report for this project was approved on January 18, 2000. The “Auxiliary Lane Widening” proposal is anticipated to begin construction at the beginning of 2001 (EA 191004).

The third and final phase is known as the “Gap Closure” (the gap that was not addressed by the “Auxiliary Lane Widening” and the “Connector Widening”). This project widens and realigns the 405/101 connector from Sepulveda Boulevard UC to 200 meters north of Ventura Boulevard UC, by adding a lane at the existing outside shoulder. This phase also reconfigures the NB 405 on-ramp at Sepulveda Boulevard/Greenleaf Street and constructs a “Fly-under” ramp. A Project Study Report for this “Gap Closure Project” is currently being prepared (EA 20120K).

The Environmental Document (ED) for the “Connector Widening” project was approved on September 27, 2000. The ED addresses the environmental concerns and impacts for both the “Connector Widening” and “Gap Closure” projects.

Project Report T-6369 (EA 4E8200) was approved on March 31, 1998, to replace existing metal beam guard railing and temporary concrete barrier on NB 405 connector to NB and SB 101 with permanent concrete barriers. This work will be incorporated into the “Connector Widening” project.

There is also a project (EA 1667U4) currently under construction which will extend the existing SB High Occupancy Vehicle (HOV) lane along Route 405 between Waterford Street and the 405/101 IC. The work includes reconstruction of the SB 405 median, pavement rehabilitation at various locations, construction of sound walls at Sepulveda Boulevard and Ventura Boulevard on- and off-ramps, and the addition of a CHP reinforcement area from Church Lane to Getty Center Drive. Construction began in September 1999 and completion is expected by June 2002.

NB Route 405, between Mulholland Drive OC and the 405/101 IC experiences heavy traffic congestion. There are several factors contributing to the heavy congestion. One of the contributing factors is that the NB 405 to SB 101 Connector consists of only a single lane and traffic volume during the peak hours exceeds design capacity. The level of service of the connector is E.

Another factor that contributes to the heavy congestion is the weaving movement required by motorists entering from Sepulveda Boulevard/Ventura Boulevard on-ramp intending to proceed to the NB 405 (see Attachment C, Layout Plans). Motorists from the Sepulveda Boulevard/Ventura Boulevard on-ramp proceeding north to Route 405 must traverse over the two lanes of NB Route 405/Route 101 Connector traffic within a distance of approximately 214 meters. Meanwhile, motorists from the two lanes of Route 405 intending to proceed SB on Route 101 must move over to the number three lane of the branch connector.

The construction of an additional lane on the NB 405/SB 101 connector will serve to improve traffic flow by providing additional traffic capacity and expediting the egress of NB 405/SB 101 traffic from the connector. This project is the second phase in addressing the congestion problem along the NB 405 and at the Route 405/101 IC.

The third and final project/phase (“Gap Closure”) proposes to add a lane from Sepulveda Boulevard UC to Ventura Boulevard UC. This phase includes a reconfiguration of the NB on-ramp at

Sepulveda Boulevard/Greenleaf Street. The NB on-ramp at Sepulveda Boulevard would be realigned and would remain an access to the NB and SB Route 101. A “Fly-Under” ramp for access to the NB Route 405 would be constructed. The NB on-ramp at Ventura Boulevard and the existing ramp from the connector to NB 405 would be eliminated. The reconfiguration of the on-ramp at Greenleaf Street addresses the weaving problem previously discussed. This third and final phase will complete the improvements necessary to alleviate the congestion at the NB 405 (prior to the 405/101 IC) and at the NB 405/NB & SB 101 Branch Connectors.

III. NEED FOR THE PARCEL

The subject property is located in the southeast quadrant of the interchange of Interstate 405 and U.S. Highway 101. This interchange carries over 530,000 vehicles per day. The interchange at this location is above grade and offers limited visibility of the project properties from the main travel lanes.

The subject property **Parcel 76773** (Vested in the name of Parking Associates) is irregular in shape and contains a combined gross land area of 5,960 square meters (64,147 square feet). It incorporates frontage on three separate arterials. The primary access to the subject property is off Camarillo Street, directly across the street from the Galleria. Encompassing over 94 meters (310 feet), this is the subject’s greatest span of frontage. An additional 82 meters (270 feet) of frontage is provided on Peach Avenue, a north/south arterial. The third access point is available off La Maida Street, a small east/west cul-de-sac that terminates at the Route 405 Freeway Right of Way. As a corner lot, the subject property contains 47.7 meters (156.47 feet) of frontage. Level and at grade, the subject property’s westerly perimeter parallels the San Diego 405 Freeway.

Parcel 76773 originally experienced improvements in the late 1940’s and early 1950’s. The primary improvements consisted of eight single-family residences. These traditional one-story Class D frame and stucco residences range in size from 63 square meters (677 square feet) to 143 square meters (1,542 square feet). Showing evidence of deferred maintenance, the houses are assessed to be in fair condition. The State’s proposed acquisition from the subject property does not impact the subject’s primary site improvements.

IV. STATUTORY OFFER TO PURCHASE

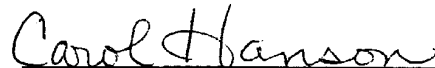
The State has appraised the subject property and has offered the full amount of the appraisal. The owners are not satisfied with the offer and negotiations are continuing.

PANEL RECOMMENDATION

The panel believes that the Department's design complies with the Code of Civil Procedure in that:

1. The public interest and necessity require this project.
2. The project is planned to provide the greatest public good and least private injury.
3. This property is required for the proposed project.
4. An offer to purchase, in compliance with Government Code Section 7267.2, has been made to the owners of record.

The panel recommends submitting a Resolution of Necessity to the California Transportation Commission.



CAROL HANSON, Panel Chairperson

I concur with the Panel's recommendation.



BRENT FELKER

Chief Engineer

PERSONS ATTENDING SECOND LEVEL REVIEW PANEL HEARING ON MAY 3, 2001

Carol Hanson, Chairperson
Michael Yoshiba, Panel Member
Bill Reagan, Design
Paul Kreuger, M. David Paul & Assoc.
Barbara Marquez, Env. Planning
Almeta Powell, Right of Way
Michael Parovich, Design
M. Paul David, M. Paul David & Assoc.

Linda Fong, Panel Member
Mike Barbour, Design
Kenneth B. Bley, Cox, Castle & Nicholson
Bakash Sett, PPM
Aziz Elattar, Env. Planning
Larry Staley, Right of Way
Kaz Kayoda, Design
Celia Saldana, Right of Way

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SUMMARY OF ISSUES

PROPERTY OWNERS CONCERNS

The property owners have requested an appearance before the Commission because the property owners feel the appraisal did not take into consideration loss of value due to any changes to their future development potential once Caltrans has the permanent footing easement at the rear of the property. As part of their contention they state they will be challenging the California Environmental Quality Act (C.E.Q.A.).

The department contends the issue is one of compensation and should be addressed both through continued negotiations and if necessary through the courts.

RESOLUTION OF NECESSITY APPEARANCE FACT SHEET

PROJECT DATA

<u>Location:</u>	<u>In Los Angeles County, City of Sherman Oaks</u>
<u>Limits:</u>	Northbound I-405 connector to southbound U.S. Highway 101 from north of Ventura Boulevard to west of Kester Avenue.
<u>Contract</u>	LA-405 KP 63.0/63.4 (PM 39.1/39.4)
<u>Limits:</u>	LA-101 KP 27.3/27.8 (PM 17.0/17.3)
<u>Cost:</u>	Construction Cost - \$7,838,000; Engineering Support Cost - \$2,773,000; Right of Way Cost - \$300,000; Total Cost - \$10,911,000
<u>Funding Source:</u>	1998 State Transportation Improvement Program (STIP) Amendment through the HE-13 Program
<u>Number Of Lanes:</u>	Existing: 1 - northbound Route 405 to southbound Route 101 Connector Proposed: 2 - northbound Route 405 to southbound Route 101 Connector
<u>Proposed Major Features:</u>	Widen the northbound Route 405 to southbound Route 101 Connector on the right side for an additional 3.6 meter lane with a 3.0 meter shoulder. Construct retaining walls and sound walls on retaining walls along the northbound Route 405 to southbound Route 101 Connector. Existing high voltage transformers, which currently service the entire lighting at the Route 405/101 interchange, will be removed and the high voltage series circuit lighting will be converted to a low voltage multiple circuit lighting.
<u>Traffic:</u>	Existing (1999) – 83,000 ADT at the northbound Route 405/101 Connector Proposed (2020) – 107,500 ADT at the northbound Route 405/101 Connector

PARCEL DATA

<u>Parcel Location:</u>	The area between Camarillo Street, Peach Avenue, and La Maida Street, west of the northbound 405 to southbound Route 101 Connector.
<u>Present Use:</u>	The subject property consists of 8 single-family residences ranging in size from 63 square meters (677 square feet) to 143 square meters (1,542 square feet). These Class D frame and stucco residences are traditional one-story homes.
<u>Area of Property:</u>	Total gross land area of 5,960 square meters (64,147 square feet)
<u>Area Required:</u>	<u>Parcel No. 76773-1</u> – 5 square meters (54 square feet) in fee. <u>Parcel No. 76773-2</u> - 413 square meters (4,446 square feet) temporary construction easement. <u>Parcel No. 76773-3</u> - 413 square meters (4,446 square feet) permanent footing easement. <u>Parcel No. 76773-4</u> - 5 square meters (54 square feet) in fee.

CHRONOLOGY OF CONTACTS AND EVENTS

Over 30 years	ROUTE ADOPTION
September 29, 2000	APPROVED PROJECT REPORT
September 29, 2000	ENVIRONMENTAL CLEARANCE
November 7, 2000	NOTICE OF DECISION TO ACQUIRE
January 3, 2001 – May 2, 2001	EIGHT PHONE CONTACTS BETWEEN THE ACQUISITION AGENT AND THE PROPERTY OWNER.
January 10, 2001	FIRST WRITTEN OFFER
January 17, 2001	MAILED NOTICE OF INTENT TO PROPERTY OWNER.
March 12, 2001	FIRST LEVEL REVIEW HEARING HELD IN LOS ANGELES
April 11, 2001	SENIOR MET WITH PARTNERS AND ATTORNEY.
May 3, 2001	SECOND LEVEL REVIEW HEARING HELD IN LOS ANGELES.